

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,

Plaintiff,

v.

LEVII DINO DELGADO,

Defendant.

Criminal Action No. 20- 37-UNA

REDACTED

FILED

INDICTMENT

JUN 23 2020

The Grand Jury for the District of Delaware charges that:

U.S. DISTRICT COURT DISTRICT OF DELAWARE

GENERAL ALLEGATIONS

1. At all times material to this Indictment, Henrietta Johnson Medical Center (HJMC) was a Federally Qualified Health Center (FQHC) that had four medical centers in Wilmington, Delaware, which provided medical care to under-served communities.
2. HJMC contracted the services of Delaware Health Net (DHN), a 26 U.S.C. § 501(c)(3) non-profit organization, to assist with, among other things, Information Technology (IT) services.
3. DHN employed Diamond Technologies, a third-party IT firm located in Wilmington, Delaware, to provide IT services to its clients, including HJMC. Those services included but were not limited to: general IT support services, Cloud services, Microsoft Office 365 services, cyber security services, and disaster recovery and business continuity services.
4. The defendant, LEVII DINO DELGADO ("DELGADO"), was employed by HJMC as an IT administrator, providing on-site IT support services for HJMC's employees.

5. On or about August 10, 2017, HJMC terminated **DELGADO's** employment. Following his termination from HJMC, **DELGADO** was not authorized to access HJMC's computer network.

6. On or about August 10, 2017, Diamond Technologies disabled **DELGADO's** user account, which had allowed him to access HJMC's computer network, and removed his user account from HJMC's active directory. Diamond Technologies also disabled **DELGADO's** HJMC-issued Microsoft Office 365 email account.

7. On or about August 14, 2017, **DELGADO** connected his personal laptop to HJMC's computer network through HJMC's Virtual Private Network (VPN) by using a separate administrator account, which he continued to access following his termination from HJMC without HJMC's knowledge or consent.

8. On or about August 14, 2017, **DELGADO**, having gained unauthorized access to HJMC's computer network, deleted all HJMC employee user accounts, deleted HJMC's file server, and disabled all of HJMC's computer accounts. As a result, HJMC's employees were prevented from logging into their computers and accessing their electronic files, including patient files and other information necessary to managing and conducting HJMC's operations.

COUNT ONE

9. The allegations set forth in paragraphs 1-8 of this Indictment are re-alleged and incorporated herein.

10. On or about August 14, 2017, in the District of Delaware, defendant,

LEVII DINO DELGADO,

knowingly caused the transmission of a program, information, code, and command, and, as a result of such conduct, intentionally caused damage without authorization to the protected computers of

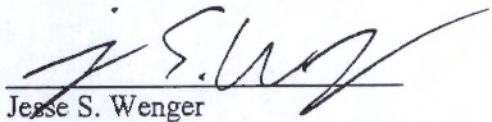
HJMC, and such conduct caused (i) loss to HJMC during a 1-year period from the defendant's course of conduct affecting HJMC's protected computers aggregating at least \$5,000 in value; (ii) the modification, impairment, and potential modification and impairment of the medical examination, diagnosis, treatment and care of individuals; and (iii) damage affecting 10 or more protected computers during a 1-year period, all in violation of 18 U.S.C. §§ 1030(a)(5)(A) and 1030(c)(4)(B).

A TRUE BILL

FOREPERSON

DAVID C. WEISS
UNITED STATES ATTORNEY

BY:


Jesse S. Wenger
Assistant United States Attorney

Dated: June 23, 2020